

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

_____	)	
	)	
GIUSEPPE MAROTTA et al.,	)	
	)	
Plaintiffs	)	
	)	
v.	)	C.A. NO. 05-10032-MEL
	)	
SUFFOLK COUNTY,	)	
Defendant	)	
_____	)	

**MOTION TO AMEND COMPLAINT**  
**TO ADD ADDITIONAL COUNT ALLEGING VIOLATION OF G.L. C. 149, § 148**

Now come the Plaintiffs in this action and pursuant to Fed. R. Civ. P. Rule 15(b), move to amend their Complaint to assert a claim alleging a violation of G.L. c. 149, § 148, and a count alleging that the Defendant has violated the FLSA by failing to pay Canine Officers for work performed outside their normally scheduled hours of work. In support thereof, the Plaintiffs state that by letter dated March 1, 2005, they received a right to bring a private right of action against the Defendant under G.L. c. 149. In further support, the Plaintiffs state that the proposed amendment conforms to the evidence in this action, and no responsive pleading has been filed by the Defendant in this action. A copy of the Plaintiffs Amended Complaint is attached hereto.

Respectfully submitted,

THE PLAINTIFFS

By their attorney,

/s/ Daniel W. Rice

Daniel W. Rice  
GLYNN, LANDRY,  
HARRINGTON & RICE, LLP  
10 Forbes Road  
Braintree, MA 02184  
(781) 849-8479  
BBO # 559269

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